

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION**

KEWIA T. HUNTER,)	
)	
vs.)	Case No. 2:13-cv-0115-JMS-WGH
)	
JOHN OLIVER,)	
)	
Respondent.)	

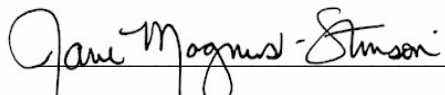
E N T R Y

The petitioner's motion for extension of time was not timely filed, but the Court shall give the petitioner additional time to file his reply. The petitioner's motion for extension of time [dkt. 10] is **granted** to the extent that he shall have **through September 13, 2013**, in which to file his reply. The petitioner's motion for extension of time [dkt. 10] is **denied**, however, to the extent that he seeks the additional time to conduct discovery.

Rule 6(a) of the Rules Governing ' 2254 Cases, 28 U.S.C. ' 2254, allows habeas corpus petitioners to conduct civil discovery "if, and to the extent that, the judge in the exercise of his discretion and for good cause shown grants leave to do so, but not otherwise." *See Bracy v. Bramley*, 520 U.S. 899, 904 (1997) (AA habeas petitioner, unlike the usual civil litigant in federal court, is not entitled to discovery as a matter of ordinary course®). In order to be entitled to discovery, a petitioner must make specific factual allegations that demonstrate that there is good reason to believe that the petitioner, through discovery, may be able to garner sufficient evidence to entitle him to relief. *See id.* at 908-09. Discovery has not been authorized in this action and the petitioner's motion for extension of time does not separately warrant discovery.

IT IS SO ORDERED.

Date: 08/19/2013


Hon. Jane Magnus-Stinson, Judge
United States District Court
Southern District of Indiana

Distribution:

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